Sl.No.	Name of the State	Number of Cases
4.	Tamil Nadu	2320
5.	Uttaranchal	2
6.	Madhya Pradesh	13
7.	Chhattisgarh	0
8.	Andhra Pradesh	1254
9.	Gujarat	48
10.	Orissa	0
11.	Jammu & Kashmir	2
12.	Karnataka	1260
13.	Maharashtra	1789
14.	Uttar Pradesh	7
15.	Bihar	3
16.	Jharkhand	0
17.	Rajasthan	51
18.	Kerala	7
19.	Himachal Pradesh	1
20.	Haryana	4
21.	Goa	1
	TOTAL:	13062

Pending cases regarding payment of income tax and excise duties

2747. MISS MABEL REBELLO: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether it is a fact that pendency of disputes regarding payment of income tax and excise duties by many companies in appellate fora has caused large amount of outstanding dues;

(b) the number of such pending cases of 50 top companies pending in various courts in the country, State-wise, court-wise, amount-wise and company-wise for the last three years;

(c) whether Government have taken any steps for the speedy disposal of these cases; and

(d) if so, the details of the same and the progress made thereon?

THE MINISTER OF LAW AND JUSTICE (SHRI K. JANA KRISHNAMURTHY): (a) Yes, Sir. According to available information, amount locked up in litigation in various fora for direct and indirect taxes as at the end of the last three fiscal years was as follows:

(Rs. in crore)

As on	Direct Taxes:		Indirect Tax		Total
	Commissioner of Income Tax (Appeals)	Income Tax Appellate Tribunal	High Court/ Supreme Court		
31.3.2002	25080	7569	2127	8021.98	42797.98
31.3.2001	11661	1886	12239	6978.75	32764.75
31.3.2000	10102	13285	1192	6770.79	31349.79

(b) Court registries do not maintain information in order of top companies.

(c) and (d) The Government has taken various steps for speeding up the disposal of cases involving income tax and excise duties. These include simplification of rules and procedures on the basis of the advice and recommendations of expert bodies like the Law Commission, the Malimath Committee, etc. Special tribunals like Income Tax Appellate Tribunals, have been set up to expedite disposal of cases.

Whenever stays are granted by the courts, all efforts are made to get the stays vacated or for deciding the case on priority. Steps are also taken to get the pending cases finalised by bunching of cases issue-wise/cases covered by earlier judgements of the Supreme Court/High Court and requesting the courts concerned for early hearing and one time disposal of such cases. Continuous monitoring and coordination of the

work relating to court cases is also undertaken, in collaboration with legal agencies, handling court cases on behalf of the Government.

Vacant posts of judges

2748. SHRI KARTAR SINGH DUGGAL: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) the number of vacant posts of judges in the country and the period since when these have remained unfilled, State-wise;

(b) the steps being taken to fill them up; and

(c) whether Government would ask the judges to work overtime to clear the backlog?

THE MINISTER OF LAW AND JUSTICE (SHRI K. JANA KRISHNAMURTHY): (a) As per available information, there are 2216 vacant posts of judges and magistrates in the District and Subordinate Courts in the country. A Statement showing the State-wise figures is enclosed (*See* below). The creation and filling up of vacancies is a continuous process.

(b) Filling up of the vacant posts of judges/magistrates at the District and Subordinate Judiciary is the responsibility of the respective High Courts and the State Governments. Appointment of District Judges and other judges of the Subordinate Courts is made by the Governor of the State in consultation with the High Court exercising jurisdiction in relation to such State under the provision of articles 233-234 of the Constitution of India.

The Supreme Court, vide its Judgment dated 21.3.2002, in All India Judges' Association & ors. *vs.* Union of India & Ors. has directed that the existing vacancies in the Subordinate Courts at all levels should be filled, if possible latest by 31st March, 2003, in all the States.

The Central Government have been periodically urging all the State Governments/Union Territories and the High Courts to accord utmost priority to filling up of vacant posts of judges and magistrates. The Minister of Law and Justice has written to the Chief Justices of all High Courts and Chief Ministers of all States on 26.4.2002 for ensuring compliance of the aforesaid order of the Supreme Court dated the 21st March, 2002.